

thereafter. That another act of assembly, entitled, An act to regulate public ferries, made at a session of assembly begun and held at the city of Annapolis the fifth day of November seventeen hundred and eighty-one, be and is hereby continued, and shall be and remain in full force for and during the term of seven years, and to the end of the next session of assembly which shall happen thereafter.

CHAP.
LXXVII.

C H A P. LXXVIII.

A Supplement to the act, entitled, An act for enlarging the power of the high court of chancery. Passed March 11.

BE it enacted, by the General Assembly of Maryland, That in case any person shall die seized of any lands, tenements or hereditaments, in this state intestate, and without heirs of the whole or the half blood, and indebted, and not leaving personal estate sufficient to pay his debts, any of his creditors may file a petition in the chancery court, suggesting such facts, and praying that such real estate, or so much thereof as may be necessary, be sold for the payment of the debts of the deceased, and the attorney-general, upon notice of such petition being filed, shall appear to the same and defend, and the chancellor, being fully satisfied of the truth of the said facts, may order a sale by trustees, of the real estate of such deceased person, or of so much thereof as may be thought necessary, to discharge his debts, for the benefit of his creditors, and if not sufficient to pay the whole debts, the money arising from such sale to be equally distributed among the creditors in proportion to their debts without any preference; and upon any certificate of survey being made and returned in consequence of an escheat warrant, any creditor of the deceased may enter a caveat to the same, and thereupon no patent shall issue until an examination had by the chancellor, and payment made to the creditor or creditors proving their debts to the satisfaction of the chancellor, by sale of the property as aforesaid; and in case any person, having contracted in writing for the sale of any real estate, shall die seized intestate, and without heirs of the whole or the half blood, in such case the person claiming a right of conveyance in consequence of such contract, may file his petition in the chancery court, suggesting such contract, and praying a decree for conveyance, and the attorney-general, upon notice of such petition being filed, shall appear to the same, and the chancellor, being fully satisfied of the truth and validity of the contract, and that the petitioner has a just claim to a conveyance, may decree that the attorney-general shall execute a conveyance upon such terms and conditions as the chancellor shall think proper, and the consideration money, if any due from the person claiming a conveyance as aforesaid, shall be paid before conveyance to the treasurer of the western shore, to be applied, in the first place, to discharge the debts due from the deceased, and the balance to the use of this state.

Persons dying seized of lands intestate, &c. creditors may file a petition, &c.

II. And be it enacted, That if the creditor of any person dying intestate, and without heirs as aforesaid, shall be out of the state, so that he or she hath not notice of the death of the intestate in time to enter a caveat as aforesaid, and the real estate of the deceased shall be escheated, this state will, upon application of such creditor, pay to the amount received by the state upon such escheat to the discharge of the just claim of such creditor, to be made appear to the satisfaction of the chancellor.

State will pay creditors in certain cases to the amount received, &c.

III. This act to continue for five years, and until the end of the next session of assembly which shall happen thereafter. Continuance.